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12 **Attorneys for Plaintiffs**

13 [Additional Counsel on Signature Pages]

14 **UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

15 RAUL PIZANA, MAUREEN HOBBS,
16 CHARLES BERGLUND, JEANETTE MILLS,
17 ERICA LAROCHE, ANNE MARIE LYNCH,
18 OSKAR LAFFONT, SAL MUÑOZ, and KEITH
BARNES, *individually and on behalf of all
others similarly situated,*

19 Plaintiffs,

20 v.

21 BASIC RESEARCH, LLC; BR COS LLC;
22 BASIC RESEARCH HOLDINGS, LLC; BASIC
23 RESEARCH INTERMEDIATE, LLC; SIERRA
24 RESEARCH GROUP, LLC; MAJESTIC
MEDIA, LLC; CRM SPECIALISTS, LLC;
BYDEX MANAGEMENT, LLC; SANMEDICA
INTERNATIONAL, LLC; LIMITLESS
WORLDWIDE, LLC; NOVEX BIOTECH,
L.L.C; BODEE GAY; GINA DAINES; HALEY
BLACKETT; KIMM HUMPHRIES; and
MITCHELL K. FRIEDLANDER,

27 Defendants.

Case No.: 1:18-cv-00644-ADA-SKO

Case Filed: May 9, 2018

FAC Filed: June 30, 2018

SAC Filed: November 13, 2019

TAC Filed: May 18, 2022

Assigned to United States District Court
Judge Ana de Alba and Magistrate Judge
Shelia K. Oberto

JOINT STIPULATION TO EXTEND
PLAINTIFFS' PAGE LIMITS FOR
MOTION PRACTICE RELATED TO
THE THIRD AMENDED
COMPLAINT; ORDER

(Doc. 245)

[Proposed Order Filed Concurrently]

JOINT STIPULATION TO EXTEND PLAINTIFFS' PAGE LIMITS FOR MOTION
PRACTICE RELATED TO THE THIRD AMENDED COMPLAINT; ORDER

CASE NO. 1:18-cv-00644-ADA-SKO

1 **JOINT STIPULATION TO EXTEND PLAINTIFFS' PAGE LIMITS FOR MOTION**

2 **PRACTICE RELATED TO THE THIRD AMENDED COMPLAINT**

3 Plaintiffs Raul Pizana, Maureen Hobbs, Charles Berglund, Jeanette Mills, Erica LaRoche,
4 Anne Marie Lynch, Oskar Laffont, Sal Munoz, and Keith Barnes (collectively, "Plaintiffs") and
5 Basic Research, LLC, BR COS, LLC, Basic Research Holdings, LLC, Basic Research
6 Intermediate, LLC, Sierra Research Group, LLC, Majestic Media, LLC, CRM Specialists, LLC,
7 Bydex Management, LLC, NOVEX Biotech, LLC, (together with SanMedica International, LLC,
8 "SanMedica Defendants"), Bodee Gay, Gina Daines, Haley Blackett, Kimm Humphries
9 (collectively, the "Gay Defendants"), Limitless Worldwide, LLC (the "Limitless Defendant"), and
10 Mitchell K. Friedlander ("Defendant Friedlander," and collectively with the SanMedica
11 Defendants, the Gay Defendants, and the Limitless Defendant, "Defendants"), through their
12 respective counsel of record, hereby stipulate and agree as follows:

13 Plaintiffs filed the currently operative Third Amended Complaint ("TAC") on May 18,
14 2022. ECF No. 175.

15 The parties agreed to, and the Court ordered, a consolidated briefing schedule for motion
16 practice related to the TAC. ECF Nos. 205, 206. That order established the following deadlines:

- 17
- 18 • August 29, 2022: Defendants' deadline to file responsive pleadings and motions to
transfer, and to serve any Rule 11 sanctions motions.

19

 - 20 • October 21, 2022: Plaintiffs' deadline to oppose any motions to dismiss, strike,
transfer, and/or for sanctions.

21

 - 22 • November 18, 2022: Defendants' deadline to file any replies in support of their
respective motions.

23 This case was previously assigned to Judge Drozd, whose standing order allows 25 pages
24 for all moving or opposition briefs.

25 On August 17, 2022, Defendant Friedlander requested leave to file a memorandum in
26 support of his motion to dismiss totaling no more than 40 pages. ECF No. 214.

1 On August 18, 2022, Judge Drozd issued an order “granting Defendant Friedlander leave
 2 to file brief of up to 35 pages, allowing 35 pages for Plaintiffs’ opposition, and granting Friedlander
 3 20 pages in reply. ECF No. 215.

4 On August 24, 2022, this matter was reassigned to Judge de Alba. ECF No. 216.

5 On August 29, 2022, the Gay Defendants filed a motion requesting leave to file a
 6 memorandum in support of their motion to dismiss in excess of this Court’s page limits, and on
 7 August 30, 2022, the Court granted the Gay Defendants leave to file a memorandum totaling no
 8 more than 25 pages. ECF Nos. 219, 229.

9 Between August 29 and September 2, 2022, Defendants filed the following substantive
 10 motions, totaling 126 pages, to which Plaintiffs would be entitled to file 155 total pages in
 11 opposition:

| Party | Motion | ECF No. | Pages Filed by Defendant | Current Opposition Page Limit |
|-------------------|--|----------------|---------------------------------|--------------------------------------|
| Friedlander | Motion to Dismiss TAC for Lack of Personal Jurisdiction and for Failure to State a Claim | 217 | 34 | 35 |
| Friedlander | Motion to Strike TAC re: Irrelevant Matter | 218 | 5 | 20 |
| Entity Defendants | Motion to Dismiss TAC for Lack of Personal Jurisdiction and to Transfer Venue | 220 | 22 | 20 |
| Entity Defendants | Motion to Dismiss TAC for Failure to State a Claim ¹ | 224-1 | 26 | 20 |
| Gay Defendants | Motion to Dismiss TAC for Lack of Personal Jurisdiction and Failure to State a Claim, and Motion to Transfer Venue | 231 | 24 | 20 |

25 ¹ At ECF No. 221, the Entity Defendants uploaded a duplicate copy of the Motion to Dismiss previously filed at ECF No. 220. Shortly thereafter, they filed a Notice of Errata indicating that they had intended to file their Motion to Dismiss for failure to state a claim at ECF No. 221, but had mistakenly uploaded the wrong file. ECF No. 224. They filed the intended motion as Exhibit 1 to ECF No. 224. The Court accepted the corrected filing on August 30, 2022. ECF No. 227.

| Party | Motion | ECF No. | Pages Filed by Defendant | Current Opposition Page Limit |
|--------------------|--|----------------|---------------------------------|--------------------------------------|
| Limitless | Request for Joinder in Portions of Certain Defendants Motions: Friedlander [217] and Entity Defendants [220, 224] Motions to Dismiss TAC For Lack of Personal Jurisdiction and Failure to State a Claim; and to Transfer Venue | 234 | 3 | 20 |
| Limitless | Motion for Judgment on the Pleadings on Jurisdictional and Alter-Ego Grounds | 237 | 12 | 20 |
| Total Pages | | | 126 | 155 |

To conserve the resources of the Court and the parties, the parties have agreed that Plaintiffs may instead file two omnibus oppositions:

- An omnibus opposition not to exceed sixty pages to all Defendants' motions to dismiss under Rule 12(b)(6) and 12(b)(1) (ECF Nos. 217, 224-1, and 231); Friedlander's Motion to Strike (ECF No. 218), Limitless's Joinder (ECF No. 234), and Limitless's Motion for Judgment on the Pleadings (ECF No. 237).
- An omnibus opposition to all Defendants' motions to dismiss under Rule 12(b)(2) and/or to transfer venue (ECF Nos. 217, 220, 231) and Limitless's Joinder (ECF No. 234) of no more than 60 pages.

Plaintiffs' two omnibus oppositions will total six pages less than Defendants' currently pending motions and 35 pages less than they otherwise would have been entitled to if they instead individually opposed each motion.

1 **WHEREFORE, THE PARTIES JOINTLY STIPULATE AND REQUEST THE COURT**
2 **ORDER THAT:**

- 3 • Plaintiffs may file a consolidated opposition to Defendants' Motions to Dismiss under
4 Rule 12(b)(6) for failure to state a claim, Rule 12(b)(1) for subject matter jurisdiction,
5 Friedlander's Motion to Strike, Limitless's Joinder, and Limitless's Motion for
6 Judgment on the Pleadings of no more than 60 pages.
7 • Plaintiffs may file a consolidated opposition to Defendants' Motions to Dismiss under
8 Rule 12(b)(2) for lack of jurisdiction and/or to transfer venue to the District of Utah of
9 no more than 60 pages.

10
11 Dated: October 17, 2022

/s/ Wesley Griffith

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1 Dated: October 17, 2022

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28 JOINT STIPULATION TO EXTEND PLAINTIFFS' PAGE LIMITS FOR MOTION
PRACTICE RELATED TO THE THIRD AMENDED COMPLAINT; ORDER

CASE NO. 1:18-cv-00644-ADA-SKO

1 Dated: October 17, 2022

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14 ****admitted pro hac vice***

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JOINT STIPULATION TO EXTEND PLAINTIFFS' PAGE LIMITS FOR MOTION
PRACTICE RELATED TO THE THIRD AMENDED COMPLAINT; ORDER

CASE NO. 1:18-cv-00644-ADA-SKO

ORDER

Based on the foregoing stipulation of the parties (Doc. 245) and good cause appearing, IT IS HEREBY ORDERED:

- Plaintiffs may file a consolidated opposition to Defendants' Motions to Dismiss under Rule 12(b)(6) for failure to state a claim, Rule 12(b)(1) for subject matter jurisdiction, Friedlander's Motion to Strike, Limitless's Joinder, and Limitless's Motion for Judgment on the Pleadings of no more than 60 pages.
 - Plaintiffs may file a consolidated opposition to Defendants' Motions to Dismiss under Rule 12(b)(2) for lack of jurisdiction and/or to transfer venue to the District of Utah of no more than 60 pages.

IT IS SO ORDERED.

Dated: **October 18, 2022**

/s/ Sheila K. Oberto

UNITED STATES MAGISTRATE JUDGE